



Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

Matter of: Computerized Project Management PLUS--  
Entitlement to Costs

File: B-257829.2

Date: April 21, 1995

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### DECISION

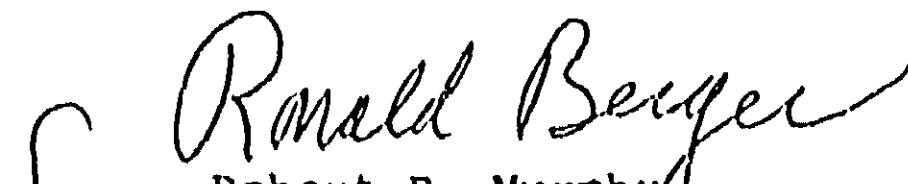
Computerized Project Management PLUS requests that our Office declare it entitled to recover the reasonable costs of filing and pursuing its protest challenging the intended award by the Corporation for National and Community Service of a contract to another offeror under solicitation No. 94-743-1005 for technical and support services. The solicitation had been issued under the section 8(a) set-aside program. In its July 6, 1994, protest to our Office, the protester contended that the award was the result of unequal discussions with the offerors and the use of undisclosed evaluation criteria.

On August 11, the agency informed our Office that it was withdrawing the requirement from the section 8(a) program and canceling the solicitation because it had determined that the procurement was not appropriately placed in the section 8(a) program. Because this action rendered the protest academic, we closed our file in the matter without further action.

Our Bid Protest Regulations provide that a protester may be entitled to reimbursement of its costs of filing and pursuing a protest where the contracting agency decides to take corrective action in response to a protest. 4 C.F.R. § 21.6(e) (1995). Where an agency takes action that renders a protest academic for reasons unrelated to the protest allegations, however, the agency's action does not constitute corrective action, that is, the agency action does not indicate that the agency recognizes the merit of the protest and is taking the action to remedy the impropriety identified by the protester. Accordingly, in such circumstances, there is no basis to award costs. See, e.g., Loral Fairchild Corp.--Entitlement to Costs, B-251209.2, May 12, 1993, 93-1 CPD ¶ 378. Here, there is no evidence establishing that the cancellation of the

solicitation was taken to remedy the impropriety alleged in the protest, and there is therefore no basis for awarding costs.

The request for a declaration of entitlement to costs is denied.

  
Robert P. Murphy  
General Counsel